

NEWARK POLICE DEPARTMENT
GENERAL ORDER

SUBJECT			G. O. NO.
MASS ARREST PROCEDURES			68-5
			EFFECTIVE DATE
			June 6, 1968
SUPERSEDES	ORDER	DATED	SECTION CODE
	NEW	June 6, 1968	A-6

The purpose of this order is to set forth procedures to be followed by department members when engaged in making mass arrests during times of demonstrations, sit-ins or riots.

This order consists of the following numbered sections:

- I. INTRODUCTION
- II. ESSEX COUNTY COURT'S MASTER PLAN
- III. ARREST ACTIONS DURING A RIOT
- IV. ARREST FOLLOW-UP ACTIONS
- V. CENTRAL PROCESSING OF PRISONERS
- VI. RECORD AND IDENTIFICATION BUREAU RESPONSIBILITIES
- VII. TRANSPORTATION TEAMS
- VIII. ARREST PROCEDURE DURING NON-VIOLENT DEMONSTRATIONS OR SIT-INS.
- IX. RESPONSIBILITY FOR COMPLIANCE
- X. EFFECT OF THIS ORDER

I. INTRODUCTION

During a riot, demonstration or sit-in, when large numbers of persons are arrested, it is essential to process prisoners as expeditiously as the efficient use of available police manpower will permit.

To achieve this end:

- A. Arrest Assist Teams shall process all prisoners and evidence at precinct stations and police headquarters in accordance with the preliminary procedures set forth in this order.
- B. A one-page emergency arrest form, DP1:1587 (revised June, 1968), shall serve as a preliminary arrest record.
- C. Emergency Arrest numbers shall identify arrested persons during preliminary processing.
- D. Emergency arrest numbers shall identify all evidence collected with prisoners.

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- E. Arresting officers, prisoners and evidence shall be photographed with a Polaroid camera. Photos shall be affixed to the emergency arrest forms.
- F. Patrol vehicles, squadrols and vehicles used to transport prisoners shall carry copies of the emergency arrest form.

II. ESSEX COUNTY COURT'S MASTER PLAN

A. Emergency Schedule

When widespread civil disorder breaks out in an Essex County municipality, the assignment judge, James Giuliano, has directed that the county courts function on an emergency, twenty-four hour schedule. These courts shall sit in emergency status for the purpose of conducting preliminary hearings and hearings for setting of bail.

B. County Court Staff

A total of eight courts will be operated and representatives of the prosecutor's staff, court reporters and probation officers shall assist in the court processing of prisoners. The probation officers shall assist in making determinations concerning prisoner release and eligibility for bail.

C. Department Personnel to Sign Complaints

As part of our department's riot mobilization plan, General Order No. 68-1, Phase II, six detectives, three on each twelve hour tour of duty, shall be assigned to sign complaints in the county court clerk's office, 2nd floor, room #217, Essex County Court House. Entrance to the building will be limited to the High Street entrance. These officers shall report to Lieutenant Robert Rennie, who shall supervise their duties and activities during the emergency.

D. Brief of Assignment Judge's Directives

1. Prosecutor's assistants shall process complaints and the involved municipality shall provide suitable office space for these prosecutors.
2. All prisoners and any evidence obtained will be photographed with the arresting officer. If the arresting officer cannot leave the scene, all pertinent information concerning the arrest shall

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be given to the officers responsible for transporting the prisoner.

3. The local police department shall provide assistance to members of the Essex County Prosecutor's Homicide Squad, and the department shall provide official transportation to the scene of a homicide or incident resulting in grievous bodily injury.
4. Police officers shall be assigned to all hospitals within the municipality for the purpose of recording information on all casualties admitted or treated for injuries received during the time of civil disorder.
5. All evidence shall be accompanied by a form or voucher properly showing the chain of its movement and that all evidence be marked and photographed with the arresting officer and prisoner (if possible).

III. ARREST ACTIONS DURING A RIOT

A. Emergency Arrest Numbers

Each precinct and police headquarters shall assign an arrest number to each arrest form. The numbers shall start with number one and run consecutively in order to the last arrest made during the emergency period. Each precinct shall use its precinct number designation to preface the emergency arrest number, e.g., 4-103. Police Headquarters shall use the letter P to preface the arrest number, e.g., P-103.

NOTE: The emergency arrest number shall be given to each person processed at a precinct or headquarters location without regard to the place where the arrest was completed. To illustrate: A person arrested in Vailsburg and taken to the Third Precinct for processing will receive the next emergency arrest number available at that precinct. A person arrested in Weequahic and taken to police headquarters for preliminary processing will be given the next emergency number.

All arrest numbers must be written in large size on the emergency arrest form blank with a marking pen which will be provided for this purpose. The number must be legible and large enough to be photographed.

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D. Field Arrests - Courses of Action

The use of Arrest Assist Teams relieves arresting officers of the responsibility of executing forms, but it does not eliminate the need for these officers to provide certain basic information concerning the circumstances of the arrest. The Arrest Assist Teams in every arrest shall be given the essential facts of the arrest, such as the name of the arresting officer, the time and place of the arrest, the items of evidence, and the charge against the prisoner.

All arresting officers, therefore, shall make certain that every prisoner deposited in a precinct or turned over to a transporting team is accompanied by the pertinent evidence and that the officers in receipt of the prisoners are informed of the essentials concerning the circumstances of the arrest. To do less jeopardizes the success of the resultant court case and heightens the risk and vulnerability of the arresting officers and the department in civil court actions, which frequently follow poorly documented arrests.

E. Field Arrest - Officers Transport Own Prisoner and Evidence

When the arresting officers transport the prisoner and the evidence to the precinct or headquarters, they shall turn the prisoner over to the Arrest Assist Team with all pertinent information and evidence. Once assured that the Arrest Assist Team has enough information and the evidence is properly identified for marking or tagging, they shall resume patrol.

F. Field Arrest - Prisoner and Evidence Turned Over to Transporting Team

If circumstances permit, and the prisoner is cooperative, the prisoner's name and his description, along with a description of the evidence should be recorded on an emergency arrest form by the transporting officers.

When a prisoner and the evidence are turned over to a transporting team, the essentials concerning the arrest shall be recorded by the transporting team on copies of the emergency arrest form which shall be carried in all squads and vehicles used to move prisoners. The transporting officers shall make

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certain to get the essential information, so that, in cases where many prisoners and pieces of evidence are carried, the prisoners can be linked to the items of evidence and the Arrest Assist Team properly informed of the names of the arresting officers and other pertinent information.

G. Field Arrest - Prisoners Transported by State Police, National Guard, or Sheriff's Officers

When a prisoner is transported by a vehicle operated by a State Police Officer, National Guardsman, or Sheriff's Officer to a precinct or headquarters for processing, the arresting officer(s) shall follow, whenever possible, to the place of processing and otherwise follow the procedure set forth in this order.

Whenever circumstances prevent the arresting officers from going immediately to the processing location, they shall make certain that the transporting officers are given the evidence and essential information required to properly process the prisoners. Whenever possible, the names of the transporting officers and the patrol vehicle number and agency designation shall be noted for future reference.

H. Field Arrest by State Trooper, National Guardsman, or Sheriff's Officer, or Other Law Enforcement Officer

The Arrest Assist Team shall accept the prisoner and evidence and follow the same procedure in executing the emergency arrest form and taking of the necessary photographs. If department transport teams accept a prisoner from any representative of another law enforcement agency or National Guard Unit, these officers shall obtain the essential information and evidence and shall request that the arresting officer follow to the place of processing, if possible. The prisoner and evidence shall be turned over to the Arrest Assist Team in either event with the pertinent information concerning the arrest. The processing shall follow the procedures outlined in this order.

IV. ARREST FOLLOW-UP ACTIONS

A. Precinct to Central Processing

Following processing by the Arrest Assist Team at the precinct, the prisoner shall be transported to Police Headquarters for completion of the processing. The emergency arrest form, DPL:1587, shall accompany the

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prisoner. The evidence shall remain at the preliminary processing station. Property Room personnel will pick up all evidence when circumstances permit. The emergency arrest form shall be used as a check list and Superior Officers in charge of stations where evidence is stored shall be responsible for securing all items until they are turned over to the Property Room. At the central processing area, the central arrest form, the incident report, and the property voucher shall be executed. (See Section V.)

NOTE: The emergency arrest report must accompany all reports and shall in every case be forwarded to the place of preliminary hearing (municipal or county court sitting in emergency status).

B. Headquarters to Central Processing

Prisoners brought to police headquarters from the place of arrest for processing shall be turned over to the Arrest Assist Team. Following completion of their duties, the prisoner shall, at the first opportunity, be formally processed at the central processing area.

C. Prisoners' Status

All prisoners shall remain in technical custody of the Newark Police until all forms and processing have been completed. Then, the prisoners may be moved to detention area or to court for preliminary hearing. One point should be noted. The Sheriff's Office may assist in moving prisoners from a precinct or place of arrest to police headquarters for processing. At this juncture, the prisoners remain as Newark's responsibility, if Newark officers made the actual arrests, and the Sheriff's Office acts as an assisting agency for transportation. The procedures outlined in this order will be followed in these instances.

Depending on the circumstances and number of prisoners to be accommodated, prisoners will be held in Newark Police facilities until court hearings are held. Once those facilities are filled, prisoners will be housed at the Sussex Avenue Armory and other locations arranged for by the Sheriff's Office.

D. Juveniles

Juveniles shall be transported to the Youth Aid Bureau for processing after the emergency arrest form has been completed and photographs taken.

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When possible, juveniles shall be transported in patrol vehicles or in station wagons manned by members of the Youth Aid Bureau.

The Youth Aid Bureau commander shall determine which juveniles shall be released to their parents or guardians and which shall be detained at the Youth House.

V. CENTRAL PROCESSING OF PRISONERS

A. Processing Center

Police Headquarters or the Franklin Street Garage shall serve as a central processing place where all required department forms shall be completed and all prisoners shall be fingerprinted and photographed.

B. Operation of Processing Center.

After the preliminary processing, prisoners shall be brought in groups to the central processing location. Here, detectives in uniform and uniformed patrolmen will complete the required department forms which include:

1. DP1:800 - Arrest Report
2. DP1:802 - Incident Report
3. DP1:152 - Property Voucher

Information obtained from the prisoner and the emergency arrest form should be sufficient to adequately complete all forms. Processing officer shall obtain central arrest numbers and central complaint numbers. The emergency arrest form shall provide the necessary information for the completion of the property voucher. The emergency arrest number shall be recorded in item #10 of this form so that Property Room personnel will have a ready reference for picking up evidence originally marked or tagged with this number. Identification officer shall fingerprint and photograph all prisoners in the usual manner. In the event the Sheriff's Office, which is required by law to fingerprint prisoners turned over to them by municipal authorities, agrees to a cooperative arrangement in this regard, the procedure will be set forth in a memorandum which will be distributed to concerned divisions and sub-divisions.

C. Previous Record Information

Processing officers shall record, in brief, on the rear of the white copy of the arrest form which will accompany

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the prisoner to court, any information received from the Record Bureau clerk concerning previous arrests and convictions listed in the arrestee's folder.

D. Preliminary Hearings

Preliminary hearings for all prisoners will be directed by the Presiding Judge, Municipal Court, unless the Essex County Court judges sit in emergency session in accordance with the orders of the assignment judge, James Giuliano. Then, preliminary hearings and hearings for determination of bail shall be in accordance with the assignment judge's directives. The Sheriff's Office will assist in transporting all prisoners to the Essex County Court House.

E. Prisoner Detention

The Sheriff's Office will house prisoners at the Sussex Avenue Armory and at county and other municipal facilities as needed.

The armory will be ready to accept prisoners four hours after notification that a disorder is in progress. The facility will house prisoners pending removal to court, permanent jail facility, or release in bail.

VI. RECORDS AND IDENTIFICATION BUREAU RESPONSIBILITIES

A. Personnel and Equipment

Identification officers, photographers, and equipment shall be assigned to the central processing location in sufficient numbers to process prisoners as efficiently and expeditiously as possible. The Chief Identification Officer's plan for "assembly line" movement of prisoners through all stages of the processing shall be followed as closely as possible. The particulars of this plan will be made known to all personnel assigned to the central processing center prior to the implementation of the plan.

B. Previous Arrest Information to Caller

Information concerning a prisoner's previous arrest record shall be given to processing officers who call for central arrest numbers.

C. Prosecutor Requests Arrest Information

To assist in bail determination, Prosecutor Joseph Lordi has requested that previous arrests information be forwarded with all prisoners going to court. The brief

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outline on the rear of the white copy of the arrest form will be sufficient unless circumstances permit Xerox copies of the full record to be sent.

D. Cadet Assistance

Police Cadets, if available, shall be used as runners between the processing area and the Record Bureau. They shall carry completed arrest forms to the central index file for assignment of central arrest numbers. The records clerk searching the file for previous arrests shall post on the reverse side of the white copy of the arrest form, in brief, any information concerning the arrestee's previous convictions or arrests. The cadet messenger shall return the form to the processing center, where the white copy will join the emergency arrest form and both forms shall accompany the prisoner to the court.

VII. TRANSPORTATION TEAMS

A. Teams of Three Patrolmen

Transportation teams shall consist of three patrolmen. The transportation vehicle shall be a patrol wagon, squadrol, station wagon or other suitable vehicle that may be available for use by the department. One patrolman shall be assigned as chauffeur and will also assist in transporting prisoners.

B. Transportation Team Procedure

After completion of the preliminary processing at the precinct station, prisoners shall be conveyed to the central processing area by transportation teams and the following procedure shall be followed:

1. Patrolmen:
 - a. Accept custody of prisoner(s) from the Arrest Assist Team along with emergency arrest form and photograph.
 - b. Accept evidence for transporting to processing center. (When an item such as gun is sent with a prisoner.)
 - c. Search male prisoners.
 - d. Convey prisoner(s) to transportation vehicle.

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- e. Deliver prisoner(s) to processing area.
- f. Surrender prisoner(s) to custody of Superior Officer in charge of processing.
- g. Return to scene of demonstration.

VIII. ARREST PROCEDURE DURING NON-VIOLENT DEMONSTRATIONS OR SIT-INS.

A. Team Personnel

For mass arrests at non-violent demonstrations or sit-ins, the arrests will be made by the Superior Officer in charge of the Arrest Team and he shall sign all emergency arrest forms. Personnel assigned to the arrest team shall be as follows:

One Superior Officer
Two Patrolmen
One Photographer (Trained Officer or Identification Officer)
One Policewoman

B. Emergency Arrest Form

The Emergency Arrest form shall be used and an Emergency Arrest Number will be assigned to every arrest. The numbered Emergency Arrest Form shall be held before the arrested person when he is photographed at the scene of the violation.

C. Arrest Procedure

The arrest will be made in the following manner, with all conversation recorded on a tape recorder:

- 1. Superior Officer
- a. Introduces himself to the subject.
- b. Asks the subject for his name and requests him to leave without being arrested.
- c. If the subject refuses, informs him that he is under arrest and advises him of the charges against him.

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- d. Asks the prisoner to walk to the processing area or transportation vehicle, whichever is being employed for the situation.
- e. Supervises the completion of the Emergency Arrest Form by one of the patrolmen and assigns a number to the arrest.
- f. Writes this number with a felt marker on the Emergency Arrest Form.
- g. Instructs the second patrolman member of the arrest team to hold the numbered form before the prisoner.
- h. Directs the photographer to take a Polaroid picture of the prisoner and himself with the numbered arrest form visible.
- i. Turns prisoner over to the transportation team with emergency arrest form and photograph for transfer to a processing point.

2. Patrolman:

- j. Executes the Emergency arrest form as directed by the Superior Officer in charge.
- k. Operates tape recorder, recording all conversation between the Superior Officer and the subject during the arrest procedure.
- l. Performs such tasks as ordered by the superior in charge of the arrest team.

3. Photographer:

- m. Photographs prisoner with emergency arrest number visible.
- n. Takes other photographs as ordered by the Superior

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Officer in charge of the arrest team.

IX. RESPONSIBILITY FOR COMPLIANCE

All members are responsible for complying with this order.

X. EFFECT OF THIS ORDER

All previous Orders and sections of the Newark Police Department Rules and Regulations which are inconsistent with this procedure are repealed.

Dominick A. Spina
DOMINICK A. SPINA
DIRECTOR OF POLIC

DAS:twm:ef

Distribution:

All functional and geographic units.

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